UNITED NATIONS **E**

Economic and Social Council

Distr.
GENERAL

E/CN.4/2002/89
20 December 2001

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-eighth session
Item 14 (a) of the provisional agenda

SPECIFIC GROUPS AND INDIVIDUALS

MIGRANT WORKERS

Status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and efforts made by the Secretariat to promote the Convention

Report of the Secretary-General

1. The General Assembly, by its resolution 45/158 of 18 December 1990, adopted and opened for signature, ratification and accession, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and called upon Member States to consider signing and ratifying or acceding to the Convention as a matter of priority.

2. In its resolution 2001/53, the Commission on Human Rights called upon all Member States, in view of the celebration of the tenth anniversary of the adoption of the Convention and of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to consider the possibility of signing and ratifying or acceding to the Convention as a matter of priority; requested the Secretary-General to provide all facilities and assistance for the active promotion of the Convention, through the World Public Information Campaign for Human Rights and the programme of advisory services in the field of human rights; welcomed the work of the Special Rapporteur on the human rights of migrants in relation to the Convention; welcomed the increasing activities of the global campaign for the entry into force of the Convention and invited organizations and agencies of the United Nations system, as well as intergovernmental and non-governmental organizations, to continue and intensify their

efforts with a view to disseminating information on the Convention and promoting an understanding thereof; and requested the Secretary-General to submit to the Commission at its fifty-eighth session a report on the status of the Convention and on the efforts made by the Secretariat to promote the Convention and the protection of the rights of migrant workers.

3. Further, in its resolution 55/93, the General Assembly decided to proclaim 18 December International Migrants Day, and invited Member States, as well as intergovernmental and non-governmental organizations, to observe International Migrants Day, through, inter alia, the dissemination of information on the human rights and fundamental freedoms of migrants, the sharing of experience and the design of actions to ensure their protection.

4. As of 6 December 2001, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families had been ratified or acceded to by 17 States, namely, Azerbaijan, Belize, Bolivia, Bosnia and Herzegovina, Cape Verde, Colombia, Egypt, Ghana, Guinea, Mexico, Morocco, the Philippines, Senegal, Seychelles, Sri Lanka, Uganda and Uruguay. In addition, 12 States, namely, Bangladesh, Burkina Faso, Chile, the Comoros, Guatemala, Guinea-Bissau, Paraguay, Sao Tome and Principe, Sierra Leone, Tajikistan, Togo and Turkey, signed the Convention. The Convention will enter into force when at least 20 States have ratified or acceded to it.

5. Promotion of international human rights treaties, including the International Convention on the Rights of All Migrant Workers and Members of Their Families, is an ongoing priority of the Secretary-General and the United Nations High Commissioner for Human Rights. In his Millennium Report to the General Assembly (A/54/2000), the Secretary-General made the commitment to advance the international rule of law, stating that the support for the rule of law would be enhanced, inter alia, if countries signed and ratified international treaties and conventions. A treaty signature/ratification event was held in parallel to the Millennium Summit (6-8 September 2000), when 273 treaty actions were undertaken by 84 States. Three ratifications or accessions to and seven signatures of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families were deposited with the Secretary-General in September/October 2000. Encouraged by the public reaffirmation by States of their commitment to the international rule of law, the Legal Counsel sent a letter on 9 May 2001 inviting Governments to make use of the opportunity provided by the fifty-sixth session of the General Assembly to sign and ratify or accede to those treaties deposited with the Secretary-General to which they were not parties. The focus for year 2001 was the rights of women and children. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was part of the 23 list of core treaties that, taking in consideration this year's focus, States are invited to pay special attention to.

6. The importance of ratifying the International Convention has also been stressed at a regional level. Thus, the General Assembly of the Organization of American States (OAS) in its resolution 1775 of 5 June 2001 entitled "The human rights of all migrant workers and their families", resolved to urge the States members of the OAS to consider signing, ratifying, or

acceding to the American Convention on Human Rights and the other instruments of the system, as well as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

7. Under the joint programme of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations Development Programme (UNDP) entitled "Human rights strengthening", or HURIST, one subregional workshop was held in the Marshall Islands from 6 to 9 March 2001. Under the same programme three other workshops are scheduled to be organized in 2002. Further, OHCHR and UNDP–Fiji co-organized a similar event for a group of Pacific Island countries in December 2001. These workshops are aimed at raising understanding of the main treaty provisions, examining the implications of ratification and informing Governments of the kinds of assistance that are available from the United Nations if they should wish to pursue ratification. The International Convention on the Rights of All Migrant Workers and Members of Their Families is one of the seven treaties covered by the workshops.

8. Furthermore, the International Steering Committee of the Global Campaign for Ratification of the Convention on the Rights of Migrants, which was established in March 1998 for the purpose of building and popularizing a global campaign to promote the ratification and entry into force of the Convention, continued its activities, including through its national counterparts. During the fifty-seventh session of the Commission, the Steering Committee organized a special event to promote ratification of the Convention with the participation of the Deputy High Commissioner for Human Rights. The Steering Committee continued to meet throughout the year and to intensify its appeals for the ratification of the Convention.

9. A joint report issued by the International Labour Office (ILO), the International Organization for Migration (IOM) and OHCHR in August 2001 on international migration, racism, discrimination and xenophobia, was submitted to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Durban from 31 August to 7 September 2001. In the preface to the report, the ILO and IOM Directors-General and the High Commissioner for Human Rights urged all States that had not yet done so to ratify conventions on migrants.

10. The Special Rapporteur on the human rights of migrants continued to promote adherence to the Convention within the framework of her mandate. During her mission to Ecuador (November 2001) the Special Rapporteur highlighted the importance of ratification of the Convention for the full and effective protection of human rights of migrants (see E/CN.4/2002/94/Add.1).

11. Through the programme of advisory services in the field of human rights, efforts have been pursued by the Secretariat to establish a dialogue with States that have not adhered to international human rights treaties, including the convention on migrants.

Annex

LIST OF COUNTRIES THAT HAVE SIGNED, RATIFIED OR ACCEDED THE INTERNATIONAL CONVENTION ON THE PROTECTION OF THE RIGHTS OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES

(as of 6 December 2001)

Participant	Signature	Ratification or accession [a]
Azerbaijan		11 January 1999[a]
Bangladesh	7 October 1998	
Belize		14 November 2001 [a]
Bolivia		16 October 2000 [a]
Bosnia and Herzegovina		13 December 1996 [a]
Burkina Faso	16 November 2001	
Cape Verde		16 September 1997 [a]
Chile	24 September 1993	
Colombia		24 May 1995 [a]
Comoros	22 September 2000	
Egypt		19 February 1993 [a]
Ghana	7 September 2000	7 September 2000
Guatemala	7 September 2000	
Guinea		7 September 2000 [a]
Guinea-Bissau	12 September 2000	
Mexico	22 May 1991	8 March 1999
Morocco	15 August 1991	21 June 1993
Paraguay	13 September 2000	
Philippines	15 November 1993	5 July 1995
Sao Tome and Principe	6 September 2000	
Senegal		9 June 1999 [a]
Seychelles		15 December 1994 [a]
Sierra Leone	15 September 2000	
Sri Lanka		11 March 1996 [a]
Tajikistan	7 September 2000	
Togo	15 November 2001	
Turkey	13 January 1999	
Uganda		14 November1995 [a]